

1 Christina N. Goodrich (SBN 261722)
christina.goodrich@klgates.com
2 Cassidy T. Young (SBN 342891)
cassidy.young@klgates.com
3 K&L GATES LLP
10100 Santa Monica Boulevard
4 Eighth Floor
Los Angeles, CA 90067
5 Telephone: +1 310 552 5000
Facsimile: +1 310 552 5001

6 (additional counsel listed
7 on signature page)

8 *Attorneys for Plaintiff*
9 *Entropic Communications, LLC*

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12

13 ENTROPIC COMMUNICATIONS, LLC,

14 Plaintiff,

15 v.

16 DISH NETWORK CORPORATION, *et al.*,

17 Defendants.
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19 _____
20 ENTROPIC COMMUNICATIONS, LLC,

21 Plaintiff,

22 v.

23 COX COMMUNICATIONS, INC., *et al.*,

24 Defendants.
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Case No.: 2:23-cv-01043-JWH-KES
(Lead Case)

Case No.: 2:23-cv-01047-JWH-KES
(Related Case)

Case No.: 2:23-cv-01048-JWH-KES
(Related Case)

Case No.: 2:23-cv-05253-JWH-KES
(Related Case)

**DECLARATION OF CASSIDY
YOUNG IN SUPPORT OF
PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
RECONSIDERATION OF
COURT'S ORDER ON
COMCAST'S MOTION TO
DISMISS [DE 132]**

Date: January 5, 2023

Time: 9:00 AM

Courtroom: 9D (Santa Ana)

DECLARATION OF CASSIDY T. YOUNG

1 ENTROPIC COMMUNICATIONS, LLC,

2 Plaintiff,

3
4 v.

5 COMCAST CORPORATION, *et al.*,

6 Defendants.

7 ENTROPIC COMMUNICATIONS, LLC,

8 Plaintiff,

9
10 v.

11 DIRECTV, LLC, *et al.*,

12 Defendants.

DECLARATION OF CASSIDY T. YOUNG

I, Cassidy T. Young, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and admitted to practice before this Court. I am an associate at the law firm of K&L Gates LLP (the “Firm” or “K&L Gates”). I am one of the attorneys on the K&L Gates team representing Plaintiff Entropic Communications, LLC (“Entropic”) in the above-entitled action. This declaration is based on personal knowledge of the matters set forth in this declaration and based on documents on file with the Court and maintained in the ordinary course of business as part of the Firm’s client files in this action. If called upon to testify regarding these matters, I could and would do so competently.

2. On August 8, 2023, my colleague James Shimota, sent an email to counsel for Comcast that stated: “In preparing for oral argument including the statements in Comcast’s reply brief regarding the inapplicability of DJ cases to the subject matter jurisdiction issues, we located a body of case law that we believe is dispositive of the Rule 12(b)(1) motion. We assume that Comcast had not located these cases previously since they were not cited to the Court. We intend to present them to the Court tomorrow. providing them with a list of cases that had been found when preparing for the hearing on Comcast’s motions to dismiss.” The email then listed the cases that Entropic intended to present during the hearing the following day. I was copied on that email. I have attached a true and correct copy of that email to this declaration as **Exhibit A**.

3. Shortly before the hearing on Comcast’s Motion, the Court issued a tentative ruling. Attached hereto as **Exhibit B** is a true and correct copy of the tentative ruling that I received via email from the Court on the morning of August 9, 2023.

4. Attached hereto as **Exhibit C** is a true and correct copy of relevant portions of the transcript from the August 9 hearing on Comcast’s motions to dismiss, which I ordered and received from the court reporter who was present at the hearing.

5. I, and my colleague, Kelsi Robinson, provided the Court and opposing counsel with a copy of the slide deck used by Entropic during the hearing on Comcast’s

1 motions to dismiss. These slides were then filed with the Court after the hearing and
2 are found at docket entry number 118. My colleague, Kelsi Robinson, also provided
3 the Court with copies of the new cases referenced in Mr. Shimota's email attached as
4 Exhibit A.


5 6. Due to the short deadline for filing this Motion according to Local Rule 7-
6 18 and the inevitable delays arising from the intervening Thanksgiving Holiday, I sent
7 an email to Comcast to meet and confer on the motion for reconsideration on November
8 29, 2023. I, along with my colleague, Peter Soskin, met and conferred with counsel for
9 Comcast via video conference regarding the motion for reconsideration on December
10 1, 2023, which was the first date that Comcast's counsel (Mr. Padmanabhan) gave us
11 on which he was available to meet and confer.

12 7. During the meet and confer, I offered to jointly request an extension of
13 time to file its motion to give Comcast more time to consider Entropic's position;
14 however, Comcast's counsel (Mr. Padmanabhan) declined the offer and suggested that
15 additional time for consideration was not necessary. Indeed, he confirmed that the
16 additional time would not change Comcast's position, which was to oppose the Motion.

17 8. The parties discussed the substance of the motion for reconsideration and
18 followed it up with an email that contained additional authority to support Entropic's
19 motion for reconsideration. The parties were unable to reach an agreement during the
20 meet and confer.

21 I declare under penalty of perjury under the laws of the United States and
22 California that the foregoing is true and correct.

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24 Executed on December 4, 2023 in Los Angeles, California.

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27 Cassidy T. Young
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